



GADSDEN COUNTY PLANNING COMMISSION MEETING MINUTES

**Thursday, February 11, 2016
6:00 p.m.**

**Board of County Commissioners Chambers
7 East Jefferson Street
Quincy, Florida 32351**

Present: Commissioner Regina Davis, At - Large Member, Chair
Commissioner William Chukes
Commissioner David Tranchand
Commissioner Dr. Gail Bridges – Bright
Commissioner Doug Nunamaker
Commissioner Lori Bouie
Commissioner John Youmans (arrived late)
Commissioner Roger Milton, School Board Representative
David Weiss, County Attorney
Allara Gutcher, Planning & Community Development Director
Jill Jeglie, Principal Planner II
Willie Brown, Principal Planner
Beryl H. Wood, Deputy Clerk

Absent:
Commissioner Gerald McSwain
Commissioner Edward J. Dixon
Commissioner Frank Rowan
Commissioner Marion Lasley

1. PLEDGE OF ALLEGIANCE

Chair Davis called the meeting to order at 6:00 p.m. with a quorum present. She then led in the pledge of allegiance to the US Flag and asked each person to silence their electronic devices for the duration of the meeting.

2. ROLL CALL

Each member present stated his name and district for which he represents and the new member was welcomed Mr. Doug Nunamaker.

3. **APPROVAL OF AMENDMENTS TO THE AGENDA**

There were no amendments to the agenda.

4. **APPROVAL OF MINUTES – November 12, 2015, December 3, 2015, and December 10, 2015**

NOVEMBER 12, 2015

UPON MOTION BY COMMISSIONER DR. BRIDGES – BRIGHT AND SECOND BY COMMISSIONER MILTON, THE COMMISSION VOTED 7 – 0, BY VOICE VOTE, FOR APPROVAL OF THE NOVEMBER 12, 2015 PC MEETING MINUTES.

DECEMBER 3, 2015

UPON MOTION BY COMMISSIONER BOUIE AND SECOND BY COMMISSIONER MILTON, THE COMMISSION VOTED 7 – 0, BY VOICE VOTE, FOR APPROVAL OF THE DECEMBER 3, 2015 PC WORKSHOP MINUTES.

DECEMBER 10, 2015

UPON MOTION BY COMMISSIONER TRANCHAND AND SECOND BY COMMISSIONER BOUIE, THE COMMISSION VOTED 7 – 0, BY VOICE VOTE, FOR APPROVAL OF THE DECEMBER 10, 2015 MEETING MINUTES.

PUBLIC HEARINGS

5. **PUBLIC HEARING (Legislative) (LDR-2016-01) – Consideration of text amendments to Chapters 2, 4, 5 and 7 of the Land Development Code to address Solar Power Generation Facilities (solar farms) and Solar Energy Systems.**

Jill Jeglie, Principal Planner, gave the review and the recommendation of amendment to the Gadsden County Land Development Code (LDC) to address "Solar Power Generating Facilities" (farms) and "Solar Energy Systems". She said this item was heard at a Planning Commission public hearing on September 17, 2015 and a public workshop on December 3, 2015 to discuss amendments to LDC to address solar power generation facilities (SPGF) and solar energy systems (SES).

At that workshop, Planning Commissioners agreed that they would send any recommended comments they wanted incorporated into the land development code amendments to staff and that staff would provide the recommendations to all the Planning Commissioners. Ms. Jeglie said they did receive two sets of comments and they

are provided as attachments to the agenda report. They also discussed the solar energy systems. The proposed amendments in front of the Planning Commission include one major change and that is: At the workshop they had the discussion that they should not regulate the solar energy systems. Solar energy systems are the systems that would be on houses and businesses and that we would concentrate on the solar power facilities. We did remove the section of the Code with the exception of some language included that references the Florida Statutes and basically states that nothing in our regulations would prohibit and have the effect of prohibiting the installation of solar energy systems. The majority of the amendments you have in front of you pertain to the solar power generation facilities or solar farms. I did include a table that is a part of Attachment #1: A table that identifies changes proposed to the Code. At the meeting there was discussion of possibly changing and increasing the setbacks. Ms. Jeglie mentioned that at a previous meeting there was also discussion regarding height. She stated she had not made any changes to those sections.

Chair Davis had concerns on the table. She wanted to review the recommendations starting with Table 1 Existing and Proposed.

Ms. Jeglie led the discussion and went through Table 1. Solar Energy Generating Facilities – Existing & Proposed Code Review. In the Recommendations column is where you will see recommendations from the previous Planning Commission meetings.

Table 1. Solar Energy Generating Facilities – Existing & Proposed Code Review			
	Existing	Proposed	Recommendations – PC from meetings
Definitions, Add Solar related (Sub. 2102)	None	Solar Access, Solar Collector, Solar Energy System, Solar Farm, Solar Power Generation Facility	No additional comments - recommendations
Future Land Use District (Sub. 4103, 4700 & Tables)	None	AG -2 (10+ acres) AG -3 (20+ acres)	No additional comments - recommendations
Setbacks (Table 5203.3.4 & Sub. 5204.D.2.a.)	None	50+feet from all property lines (Front, rear, side). 100+ feet from right -of - ways	No additional comments - recommendations
Height (sub. 5204.D.2.d)	None	Ground mounted facilities conform to principal structure height requirements for AG-2 or AG-3.	No additional comments - recommendations
Fences (Sub. 5204.D.2.d)	None	6'ft. minimum security fence enclosing ground	No additional comments - recommendations

		mounted facilities interior to buffers and setbacks.	
On-site power lines & interconnections (Sub. 5204.D.2.e)	None	Required to be underground	No additional comments - recommendations
Minimum Site Size (Sub. 5204.D.2.f)		Required to be underground	No additional comments - recommendations
Reflection Angles (Sub. 5204.D.2.g)	None	Require reflectors not to direct glare onto residential area. (This may not be an issue based on discussion with Mr. Chentnik.)	No additional comments - recommendations
Abandonment (Sub. 5204.D.3)	None	After 2 years without energy production	No additional comments - recommendations
Buffer Requirements (Sub. 5204.D.2c & 5302.4)			
Width & Opacity	<p>None</p> <p>Existing Buffers Type A- 50' to separate industrial from residential uses. Opaque from the ground up at least 6' in height.</p> <p>Type B- 25" to separate commercial, light industrial, & public uses from residential uses. Opaque from the ground up to at least 6' in height.</p>	<p>Type D – Fifty feet (50') minimum between solar power generation facilities & adjacent property in the Rural Residential Future Land Use category and existing platted residential subdivisions.</p> <p>A minimum of one hundred feet (100') wide adjacent to collector or arterial roadways.</p>	No additional comments - recommendations
Buffer Materials	Solar – None. May utilize a masonry wall, berm, planted or existing vegetation or any combination thereof which maintains a completely opaque buffer. If vegetation is to be used, then a seventy percent	Type D- Vegetation is required to be seventy percent (70%) opaque at planting and a minimum of six feet (6') in height and one hundred (100) percent opaque within two (2) years. Fences or walls may	No additional comments - recommendations

	(70%) opaque buffer shall be required at planting, and be capable of full height and opacity within three years.	be utilized to meet opacity provided that they are a minimum of six (60 feet in height, opaque and located interior to vegetation. Vegetation is required to be fifty (50) percent opaque at planting and a minimum of six (6') feet in height within two (2) years.	
Solar Energy Systems			
none	None – Statutory Reference added.	Nothing in this regulation is meant to prohibit or have the effect of expressly prohibiting the installation of solar energy systems pursuant to Chapter 163.04 (4) Florida Statutes.	No additional comments - recommendations

Commissioner Dialogue

The chart that is provided in the last column shows the final result of each of the definitions.

Table 1.

Definitions - No additional Planning Commission comments.

Commissioner Nunamaker confirmed they were only discussing the solar farms and related issues.

Setbacks - No additional Planning Commission comments.

Height – No additional Planning Commission comments.

Commissioner Bouie mentioned her concerns with the terminology of home heights.

Ms. Jeglie stated that the proposed heights were only for solar farms not residential.

Commissioner Nunamaker asked was there public concern with the height?

Ms. Jeglie said no, they did have the solar consultant come and speak on the height, and he felt it was ok.

Fences – No additional comments.

On-site power lines – No additional Planning Commission comments.

Minimum Site Size – No additional Planning Commission comments.

Reflection Angels – No additional Planning Commission comments.

Abandonment – No additional Planning Commission comments.

Commissioner Youman asked what happens if they don't remove discontinued equipment in the required time?

Ms. Jeglie said that would be a matter of Code Enforcement.

Buffer requirements

Commissioner Nunamaker asked would this be a natural buffer or planted buffer.

Ms. Jeglie commented that it would have to reach a capacity standard, so if there isn't enough natural vegetation, they would have to do plantings.

Ms. Jeglie commented on the buffer. She said it should be 70% opaque and 6 ft in height with 100% opaque in two (2) years. The buffer standards also include a tree every 50 ft.

Commissioner Chukes asked was there a concern with two-story houses concerning buffers.

Chair Davis commented that discussion took place in residential and this is only solar farms.

Ms. Jeglie added that Commissioner Lasley was also concerned with farms. She said she had looked at the buffers for industrial uses, which are as intense if not more intense of a use than what is proposed. The buffer between industrial uses is 50 ft. adjacent to residential uses.

Solar Energy Systems – statutory language – no comments.

Chair Davis asked for public comment and there was none.

Ms. Jeglie commented that in Subsection 4103 page 2, the first paragraph where you come to the underline, where it says solar power generated facilities add “are also a permitted use in Agriculture 2 and Agriculture 3”.

UPON MOTION BY COMMISSIONER DR. BRIDGES – BRIGHT AND SECOND BY COMMISSIONER TRANCHAND, THE COMMISSION VOTED 8 – 0, BY VOICE VOTE, TO ACCEPT THE SOLAR ENERGY GENERATING FACILITIES WITH THE AMENDMENTS TO SUBSECTION 4103 BY ADDING SOLAR POWER GENERATE FACILITIES ARE ALSO A PERMANENT USE IN AGRICULTURE 2 AND AGRICULTURE 3.

6. **PUBLIC HEARING (Legislative) (SSA-2016-001) – Consideration of Comprehensive Plan Future Land Use Map amendments changing the Future Land Use category on 5.97 acres from the various categories to the “Public” Future Land Use category.**

Mrs. Gutcher said this resulted as a discussion and request of the Concord Volunteer Fire Station. As they came forward they discovered that the land use category for that property, which is near Havana, is not public. They need for it to be Public in order expand. The amendment is to receive the appropriate designation. It currently is Rural Residential and is located on Map #3 in the packet referenced at this meeting.

Ms. Gutcher indicated that Planning decided to go ahead and look at the Future Land Use Category designation of the remainder of Fire Stations that are located only in the unincorporated portions of the County. It resulted in the need for adoption of several small scale amendments to the Future Land Use Map to change the Future Land Use category.

The amendment has been determined to be a small scale amendment pursuant to §163.3187 (1), Florida Statutes as an amendment that involves ten (10) acres or fewer, and the cumulative impact annually of the acreage for all small-scale planned amendments has not exceeded a maximum of 120 acres in a calendar year. This amendment package is the first small scale request of 2016.

Commissioner Dr. Bridges - Bright asked what public comment was heard by the citizens.

Chair Davis called for public comment and there was none.

UPON MOTION COMMISSIONER DR. BRIDGES - BRIGHT AND SECOND BY

COMMISSIONER MILTON, THE COMMISSION VOTED 8 - 0, BY VOICE VOTE, TO RECOMMEND THAT THE BOCC ADOPT THE FUTURE LAND USE MAP AMENDMENT AS DRAFTED OR AMENDED AND SUBMIT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY, AS REQUIRED.

7. PUBLIC HEARING (Legislative) (LPA-2016-001) – Consideration of a Comprehensive Plan Future Land Use Map amendment changing the Future Land Use category on 25.52 acres from "Agriculture-1" to the "Recreation" Future Land Use category.

Mrs. Gutcher stated that this amendment was for a parcel the County had recently acquired in the St. Hebron Community and would be used as a park. The property owners have granted the sale of twenty-five point fifty-two (25.52±) acres of a twenty-nine (29) acre property to the County. The portion of the property being purchased by the County is located a couple of miles northwest of Point Milligan Road on the east side of Fantana Trail and is bordered by a creek to the east. The County anticipates utilizing this property as a park. The current Future Land Use Map designation is not appropriate for the use of the park. She said they are requesting a change the Future Land Use category for the twenty-five (25±) acres from Agriculture 1 to the Recreational Future Land Use category on the Future Land Use Map. She recommended that the Planning Commission make their recommendation subject to the creation of the parcel from the parent parcel prior to the adoption of the comprehensive plan amendment.

Mrs. Gutcher then directed attention to the monitor screen where she indicated that the red boundary is where the park would be located and is where the property the County has acquired is located. However, the property owner is still in need of applying for a subdivision, to separate the 3.48± acres from the 25.52 acres being purchased by the County. They need to subdivide record and place these properties under their own separate parcel identification number. She referenced the map on the monitor which showed a triangle of the parent parcel west of the red shape (proposed park) to remain in the yellow (Rural Residential Future Land Use category) as being a part of the total acreage under the parent parcel identification number. Once the property is subdivided from the parent parcel, the County will own the 25± acres located east of Fantana Trail and the property owner will own the remainder (four acres) located west of Fantana Trail. The Staff recommendation is contingent upon that subdivision approval prior to adoption of the Future Land Use Map amendment by the Board of County Commissioners.

Commissioner Nunamaker asked whether the County was going to buy this property.

Mrs. Gutcher replied that the contract was still pending contingent on the subdivision of the property.

Commissioner Nunamaker also asked was the sale of the land a condition of acceptance of the park?

Mrs. Gutcher stated to her knowledge, the sale of the land was not conditioned on the use of the land as a park. It is the County's intent to buy the land.

Commissioner Dr. Bridges – Bright asked would the County be bound to make this a recreational park.

Mrs. Gutcher said the intent is to make the land a park contingent upon the sale of the land to the County.

Chair Davis called for public comment.

Public Comment

Charles Flowers, 7999 Frye Road, St. Hebron Community, Chairman of the Community of Concerned Citizens, spoke in support of the park and the amendment change.

Commissioner Dr. Bridges- Bright asked had they talked about keeping the park up and clean?

Mr. Flowers said that the vision is to have someone there onsite. He also said that they have no details but that they will be involved.

Commissioner Chukes inquired would it be fenced?

Mr. Flowers said he was not sure, that would be the County's decision.

Commissioner Youman asked in purchasing the property, the County wants the property owners to separate (subdivide) the portion of the parcel on the west side of the road from the portion of the parcel on the east side of the road?

Mrs. Gutcher replied that as indicated on the map, the area outlined in red (25.52± acres) would become the park and the other part (3.48± acres) would become residential.

Commissioner Bouie asked would the community be in support of the park.

Mr. Flowers said they would and there is no opposition to having the park.

Chair Davis said she would like the purchasing of the property to be contingent upon being separated.

Mrs. Gutcher said the property owner needs to apply for the subdivision at this time. However, it is still pending. The recommendation is contingent upon them coming in and applying for a subdivision prior to adoption.

Attorney Weiss commented the County has approved and executed the contract. The contract is expressly contingent upon subdivision of the property. If there is no subdivision then the contract would fall through. It's not contingent upon the change in land use, but we need it to have the proper land use to create the park. He said before you, is the change on the Future Land Use Map, but it is contingent upon subdivision approval.

Commissioner Nunamaker said the west side is already rural residential and the east side is Agriculture 1. He said you would not need a Land Use Amendment to do the subdivision.

Mrs. Gutcher commented that he was right. You don't need the land use amendment to do the subdivision, but you do need it to create the park.

Commissioner Dr. Bridges – Bright spoke in support of approval, contingent upon the property being subdivided. She said she would like to see it look like the park in Bainbridge, Georgia.

UPON MOTION BY COMMISSIONER DR. BRIDGES- BRIGHT AND SECOND BY COMMISSIONER YOUAMAN, THE COMMISSION VOTED 8 – 0, BY VOICE VOTE, FOR APPROVAL CONTINGENT UPON SUBDIVISION APPROVAL PRIOR TO ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENT.

GENERAL BUSINESS

8. **PLANNING COMMISSIONER QUESTIONS AND COMMENTS**

There were no additional comments.

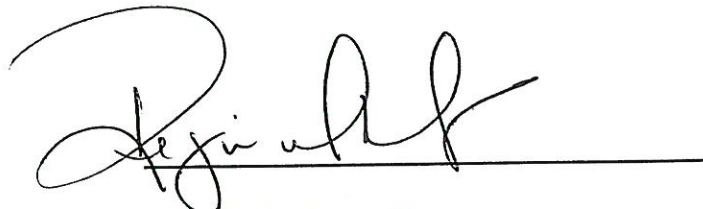
9. **DIRECTOR'S COMMENTS**

Mrs. Gutcher commented that there would be no March meeting. She also referred to the handout given to the Commission; it was an updated Comprehensive Plan element. She asked that the element be added to their Comprehensive Plans and the old element removed to make sure they have the most recent version.

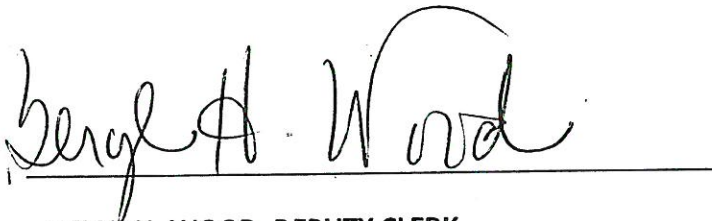
ADJOURNMENT OF MEETING

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE CHAIR
DECLARED THE MEETING ADJOURNED AT 6:44 P.M.

GADSDEN COUNTY, FLORIDA

A handwritten signature in cursive script, appearing to read 'Regina Davis', written over a horizontal line.

REGINA DAVIS, CHAIR

A handwritten signature in cursive script, appearing to read 'Beryl H. Wood', written over a horizontal line.

BERYL H. WOOD, DEPUTY CLERK
For NICHOLAS THOMAS, CLERK
Gadsden County, Florida